

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

Jan 02, 2024

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

ALISHA T.,<sup>1</sup>

Plaintiff,

v.

MARTIN O'MALLEY,  
COMMISSIONER OF SOCIAL  
SECURITY,<sup>2</sup>

Defendant.

NO: 1:23-cv-03125-LRS

ORDER GRANTING STIPULATED  
MOTION FOR REMAND

BEFORE THE COURT is the Defendant's Stipulated Motion to Remand,  
ECF No. 7. Based on the stipulation of the parties, the Court finds good cause to

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<sup>1</sup> The court identifies a plaintiff in a social security case only by the first name and last initial in order to protect privacy. *See* LCivR 5.2(c).

<sup>2</sup> Martin O'Malley became the Commissioner of Social Security on December 20, 2023. Pursuant to Rule 25(d) of the Rules of Civil Procedure, Martin O'Malley is substituted for Kilolo Kijakazi as the Defendant in this suit.


grant the motion. Accordingly, pursuant to the stipulation, **IT IS HEREBY**

**ORDERED:**

1. Defendant's Stipulated Motion for Remand, **ECF No. 7** is **GRANTED**.
2. This case is **REVERSED** and **REMANDED** for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).
3. On remand, the ALJ will further develop the record, as appropriate, offer Plaintiff the opportunity for a new hearing, and issue a new decision. Based on the updated record, the ALJ will reevaluate Plaintiff's statements, the medical evidence, and the step-five finding, as necessary.
4. Upon proper presentation, this Court will consider Plaintiff's application for costs, expenses, and reasonable attorney's fees under the Equal Access to Justice Act, 28 U.S.C. § 2412(a), (d).
5. Plaintiff's opening brief, **ECF No. 6**, and the hearing and remaining briefing schedule are **VACATED** as moot.

**IT IS SO ORDERED.** The District Court Clerk is directed to enter this Order and provide copies to counsel. Judgment shall be entered for Plaintiff and the file shall be **CLOSED**.

**DATED** January 2, 2024.

  
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LONNY R. SUKO  
Senior United States District Judge